

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DOMINGO CASTILLO MARCELINO, individually  
and on behalf of others similarly situated,

Plaintiff,

**16 No. 6287 (KPF)**

- against -

374 FOOD, INC. (d/b/a TRIBECA BAGELS),  
TIRAN TSADOK, and HAYIM TSADOK,

Defendants.

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**NOTICE OF MOTION TO  
DISQUALIFY OPPOSING COUNSEL**

**PLEASE TAKE NOTICE** that Defendants 374 Food, Inc., a corporation doing business as “Tribeca Bagels,” Tiran Tsadok and Hayim Tsadok respectfully move to disqualify opposing counsel from representing Plaintiff Domingo Castillo Marcelino in future proceedings for the reasons stated by Defense Counsel in Docket #60 & #62 and in the subsequent conference held on May 1, 2018, pursuant to the Court’s inherent power. *See Hempstead Video, Inc. v. Inc. Vill. Of Valley Stream*, 409 F.3d 127, 132 (2d Cir. 2005) (“The authority of federal courts to disqualify attorneys derives from their inherent power to preserve the integrity of the adversary process.”); *see also United States v. Hammad*, 858 F.2d 834, 837 (2d Cir. 1988); *Ex Parte Burr*, 22 U.S. 529, 531 (1824) (Marshall, C.J.). Defendants hereby waive the right to submit a reply brief.

Dated: May 8, 2018  
New York, NY

By: /s/ Brian Lehman

Brian Lehman  
Lehman LG LLC  
244 5th Ave., B258  
Counsel for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on the 8th day of May 2018, a true copy of Defendant's Notice of Motion to Disqualify Opposing Counsel was served on Plaintiff's Counsel by CM/ECF.

Dated: May 8, 2018

By: /s/ Brian Lehman